



Parklet Policy

Adopted by the Brockton Traffic Commission, January 27, 2022



Acknowledgments

Mayor Robert F. Sullivan

Rob May, Director
Department of Planning and Economic Development

Brockton Traffic Commission

Captain Mark Porcaro, Commissioner
Mary Milligan, Parking Clerk

Current Members

Captain Mark Porcaro, Brockton Police Department
Deputy Chief Joseph Solomon, Brockton Fire Department
Acting Commissioner Patrick Hill, Brockton DPW
Kenneth Galligan
Steve Hooke
Councilor Rita Mendes
Councilor Jack Lally

Parklet Task Force

Brady Winsten, Mayor's Policy Director
Cindy Ethier-Kostka, Resident
Eric Akesson, Director, Parking Authority
Janice Fitzgerald, Director, Council on Aging
Joseph DePasquale, BFD
Kelly Forrester, Project Manager, BAT
Mary Waldron, Director, OCPC
Michael Lambert, Director, BAT
Patrick Hill, Interim DPW Commissioner
Steven S. Higgins, Independence Associates

Consultant Team

Innes Associates Ltd.
Halvorson | Tighe & Bond Studio

Welcome!

The City of Brockton has sponsored this parklet policy to encourage businesses and community organizations to transform parking spaces to active, vibrant community spaces that support small businesses and provide welcoming, green spaces for the Brockton community.

This policy provides information about

- What a parklet is.
- Who can apply to have a parklet.
- Where they can be located.
- How a parklet should be designed.
- How to apply for and receive a parklet permit.

The City of Brockton Traffic Commission is responsible for approving parklet permits and this document could not have been completed without their input and the input of the members of the Parklet Task force, who provided inspiration and information on the technical aspects of parklet design and location.

While certain requirements must be met to create a safe experience for users of the parklet and users of the street, the City hopes to spur creative design and application of these parklets.

If you have any questions, please contact:

Department of Planning and Economic Development

planning@cobma.us

(508) 580-7113

Parklet Basics



Applicant.

Person or entity who has applied for a Parklet Permit.



Parklet.

A platform on the street pavement to extend the sidewalk to allow a wider array of active uses in that area. Typically, a parklet uses one or more curbside parking spaces, thus reducing space available for cars in favor of space for people.



Parklet Permit.

Authorization by the City of Brockton Traffic Commission to install a Parklet. Parklet Permits shall be numbered in the order in which they are granted.



Permit Holder.

Person or entity with an approved Parklet Permit.



Parklet Season

April 1 through November 1.

Parklet applications are due by March 1 for the season or June 1 for a half season. The Traffic Commission will review complete applications at their next posted meeting.



Permit Availability

Parklet Permits are first-come, first-served and may be renewed on an annual basis. However, an application must be completed each year, even for existing parklets.



Can I Apply?



Are you a business?

The Parklet would be available to customers of your business. Many Parklets for businesses are for outdoor dining or retail.



Are you a Community or Non-profit organization?

The Parklet would be open to all members of the public as part of your organization's mission.



Are you a Homeowner or Renter?

Unless City-owned, each Parklet shall be sponsored by a business, nonprofit, or community organization that is responsible for deployment, maintenance, removal, and storage.

City of Brockton

The City of Brockton may sponsor a parklet and supply the parklet to a business or organization. Such parklets shall meet the requirements of this policy for design, construction, and location.



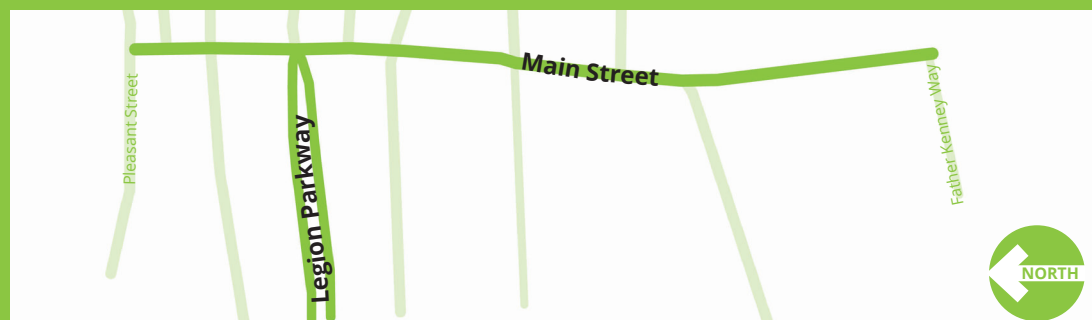
What can I use a parklet for?

Any combination of the following:

- Outdoor dining
- Outdoor retail
- Public gathering and seating
- Public art
- Plantings
- Bike storage
- Exercise classes or stations
- Public games
- Or any other similar community use as approved by the Traffic Commission



Where can I Install a Parklet?



Applying for a Parklet Permit



Application Submittal

1

Applicants shall complete the application for a parklet and submit it to the Department of Planning and Economic Development, who will review it for completeness and consistency with the requirements of this Parklet Policy.

- A. **Plans.** Parklets shall be designed by a licensed architect or engineer and the plans included with the application. Plans must be reviewed by the relevant departments (see application) prior to submission.
- B. **Community Support.** Applicant shall show written evidence of community support for the parklet, including from adjacent property or business owners.
- C. **Indemnification and Insurance.** Applicant shall indemnify the City for any damages that may occur, shall maintain no less than \$2,000,000 in liability insurance coverage for as long as the parklet remains installed on a public street, and name the City of Brockton as additional insured.
- D. **Outdoor Dining.** Parklets sponsored by a specific business for the purpose of outdoor dining shall follow the City of Brockton's Outdoor Dining Rules and submit the relevant application with the application for a Parklet Permit.
- E. **Public Access.** Parklet shall be open to the public, unless sponsored by a specific business for the purpose of outdoor dining and/or retail.



Application Review

2

After the Department of Planning and Economic Development has determined applicability and consistency, the application will be placed on the agenda for the next meeting of the Traffic Commission. The Traffic Commission will review the application and approve, approve with conditions, or deny the application.



Permit Issued

3

The City of Brockton Building Department will issue the Parklet Permit if the Traffic Commission approved the application or approved the application with conditions.



Post-Approval Responsibilities: Permit Holder

4

The Permit Holder has several responsibilities once the permit is issued:

- A. **Sign.** The Permit Holder shall post a sign with an area less than one square foot with the permit number on the parklet, the owner of the parklet, hours of operation, and contact information. The sign may not contain a business logo.
- B. **Report.** The Permit Holder shall provide a simple before and after (within one year) assessment of the parklet site, including parklet usage, pedestrian and bicycle traffic counts, patronage of local businesses, and public opinion of the parklet. Information may be collected using a survey.
- C. **Maintenance.** The Permit Holder is required to maintain all components of the parklet, including the following:
 - a. **Nightly.** Remove all trash and secure movable furniture
 - b. **Daily or as needed.** Water, weed and trim plants.
 - c. **Weekly.** Remove litter, grime, and graffiti; clean the surface of the parklet; rinse the area beneath the parklet.
 - d. **As needed.** Minor repairs and painting; prompt removal of snow from and around the parklet.
- D. **Emergency Removal.** Parklets must be able to be moved in case of emergency or hazard situations. Materials used must be easily dismantled/handled for this purpose.



Post-Approval Responsibilities: City

5

- A. **Inspections.** The installation and removal of parklets shall be supervised by the Department of Public Works. The Building Department and Fire Department will also review the installed parklet for consistency with the permit. Any damage caused to the street, curbing or adjacent sidewalk is the responsibility of the parklet permit holder.
- B. **Relocation and Removal.** The City reserves the right to require removal or relocation of part or all of the parklet either temporarily (emergency or temporary repairs to street right-of-way) or permanently (significant damage or violation of the parklet permit conditions). For non-emergencies, the Applicant must coordinate and pay for the removal or relocation within 72 hours of notification from the DPW. If the Applicant fails to remove or relocate the parklet, the DPW may do so at Applicant's expense. For emergencies, if the Applicant is unable to move the parklet, the DPW may remove and store the parklet at the Applicant's expense for the length of time necessary to address the emergency.

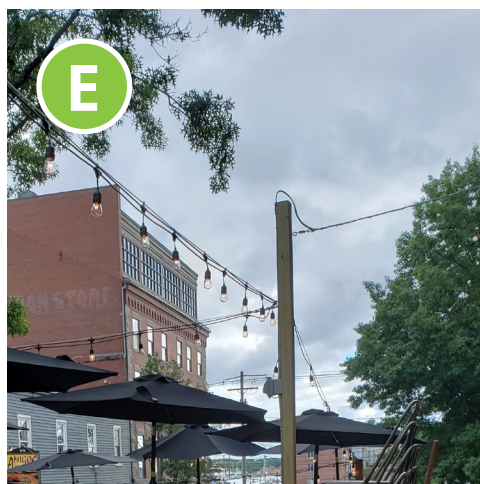
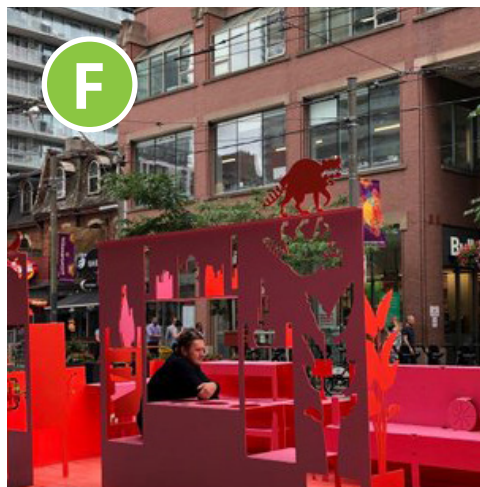
Designing a Parklet: Guidelines



Design Guidelines

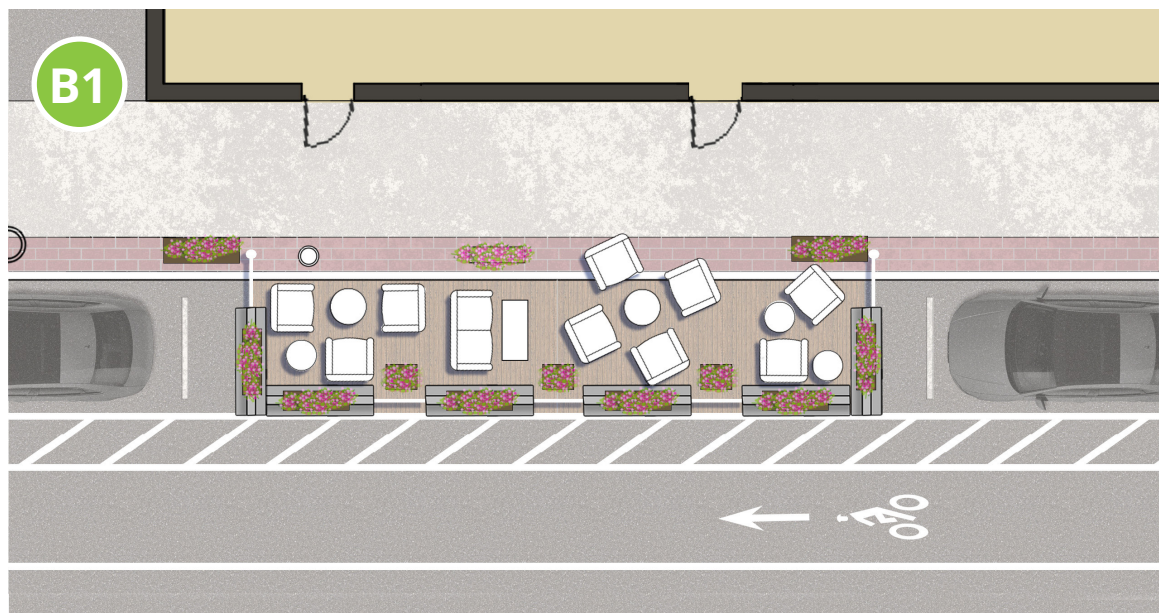
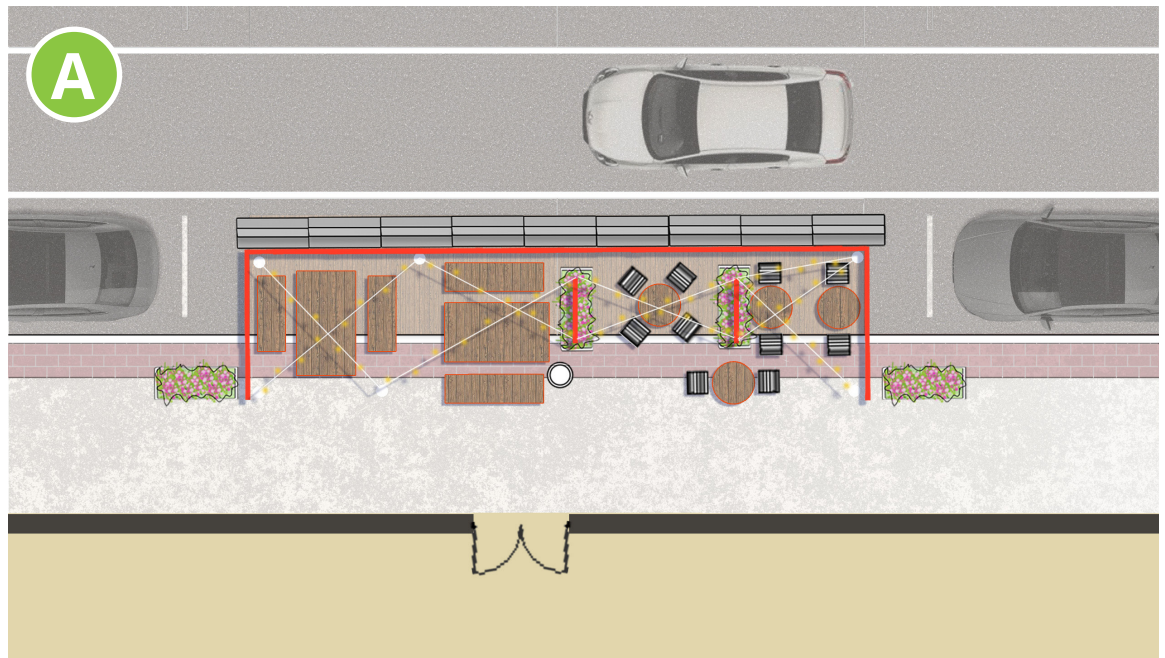
These seven points provide guidance on how the parklet should fit within its context of street, buildings, and neighborhood. These guidelines are different from the technical standards that follow; they are more general in nature and subject to some interpretation. Images on page 9 are tied to specific points below; images on pages 10 and 11 provide options for specific places in Brockton: A is one site while B1-B3 are options for a second site.

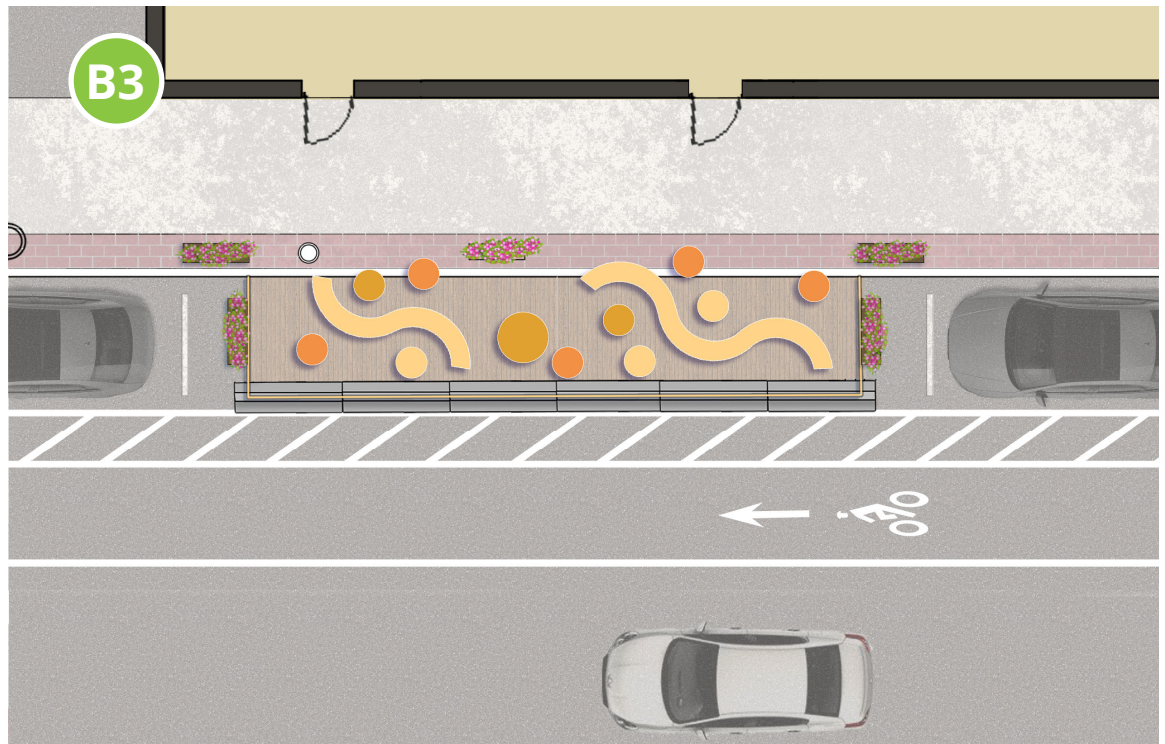
- A. **Consistency.** Applicants are encouraged to coordinate materials in parklets along the same street; for example, the parklet surface and vertical elements could be similar with variation provided by plantings, furniture, and/or public art.
- B. **Seating.** Seating may be either fixed or movable and shall conform to MAAB requirements for accessibility. Seating shall be comfortable and durable. For night-time security, movable furniture may be stackable.
- C. **Bicycle Parking.** Bicycle parking may be incorporated into or adjacent to the parklet, between the parklet and the required wheel stop.
- D. **Planters.** Planters are strongly encouraged either as part of the parklet or between the parklet and the required wheel stop. Plants shall be regularly maintained.
- E. **Lighting.** Low-voltage (solar or battery-powered lights) is allowed. Lights may only be lit during the hours of operation of the business. If the parklet is owned by an organization, lights shall be turned off no later than 11 pm.
- F. **Public Art.** Public art is strongly encouraged. The City recommends partnering with local artists or art groups to incorporate painting, sculpture or both into the design and decoration of the parklets.
- G. **Signage.** A Permit Sign is required, as noted above. All other signage shall be approved by the Traffic Commission. Informational signage about plantings, public art, or local history are strongly encouraged. Such signage shall be limited to three square feet or less and shall be integrated into the design of the parklet. Logos of parklet sponsors may be included on the sign at the discretion of the Traffic Commission but shall be less prominent than the information.



Designing a Parklet: Options

All options on these two pages meet the required standards on the next eight pages.





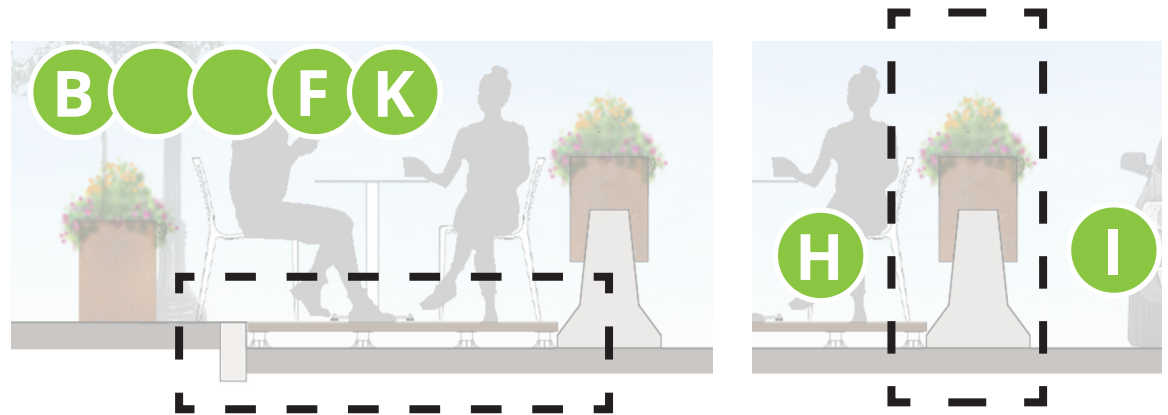
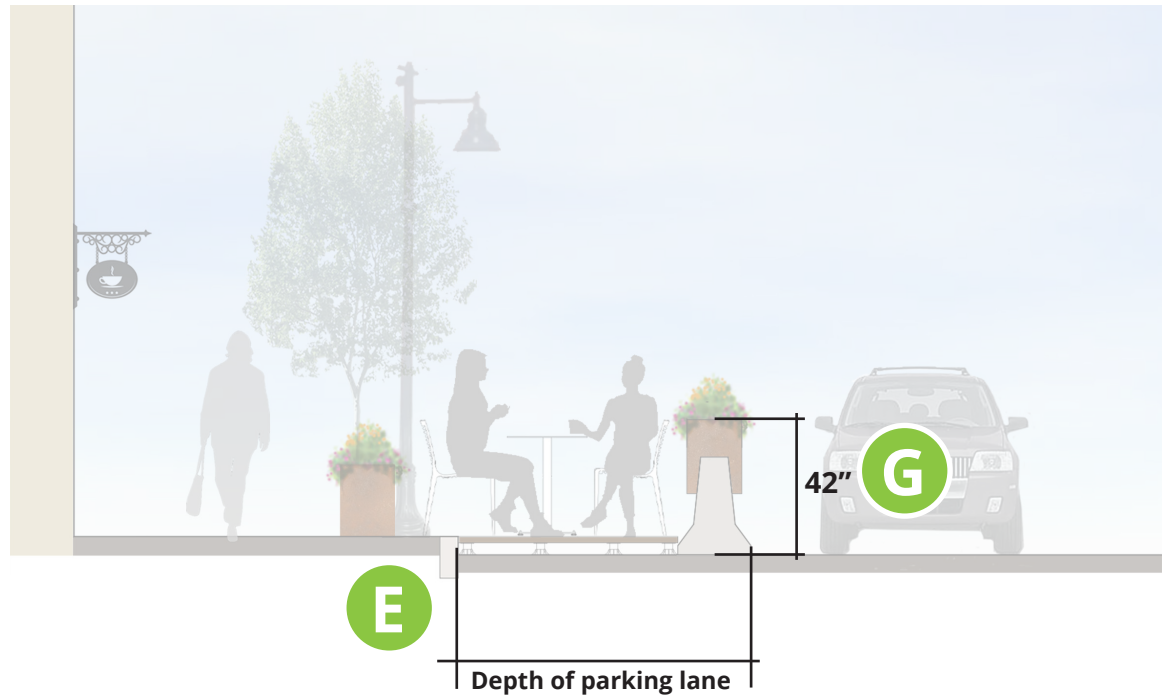
Designing a Parklet: Requirements



Standards for Parklet Structure.

1

- A. Materials shall be appropriate for all weather conditions during the Permit Season, durable, and low maintenance.
- B. The substructure of the parklet shall accommodate the crown of the road and provide a level surface for the parklet, contiguous with the level of the sidewalk.
- C. **Parklets shall have a flush transition at the sidewalk and curb to permit easy access and avoid tripping hazards.** Ramps are not allowed without a waiver from the Massachusetts Architectural Access Board (MAAB). See Standards for Accessibility, below.
- D. **The minimum load-bearing standard shall be 100 pounds per square foot.** The outside edge of the platform shall support 50-lbs. per linear foot of live load.
- E. Parklets shall have a minimum width of six feet and a maximum width, including safety barriers, of the depth of the parking lane minus 1 foot.
- F. **The design of a parklet shall not inhibit the adequate drainage of stormwater runoff.** Small channels between the base and the platform facilitate drainage.
- G. **A barrier with opening that provides visibility shall define the space.** Railings shall be between 36 and 42 inches high as measured from the street.
- H. Railings or other barriers, including the safety barriers identified below, shall be capable of withstanding at least 200-lb. of horizontal force.
- I. No component of the Parklet or its furnishings may extend into the travel lane of vehicles or bicycles. Parklets shall be set back from the travel lane by a minimum of one foot.
- J. **Parklets shall have vertical elements that make them visible to traffic, such as flexible posts or bollards.** An example is the Safet-Hit® Durapost. At a minimum, all corners shall have reflective posts. Barriers facing parked cars shall have a minimum of 2 square feet of reflective surface visible to a driver.
- K. **Parklets shall not be anchored to City streets or sidewalks.**



Designing a Parklet: Requirements



Standards for Parklet Length and Safety Barriers.

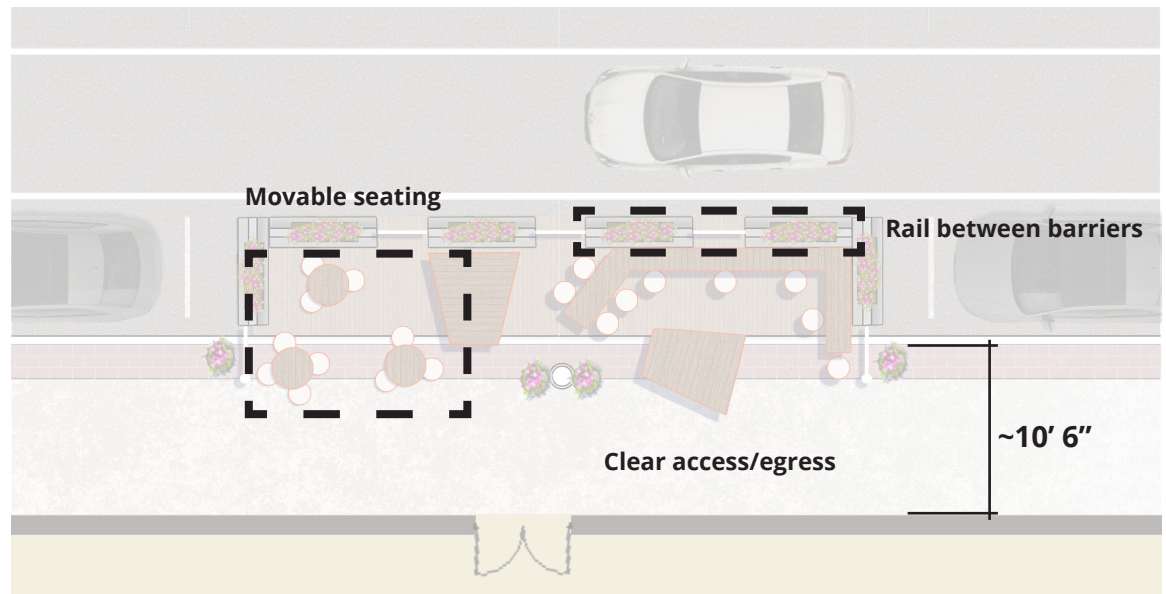
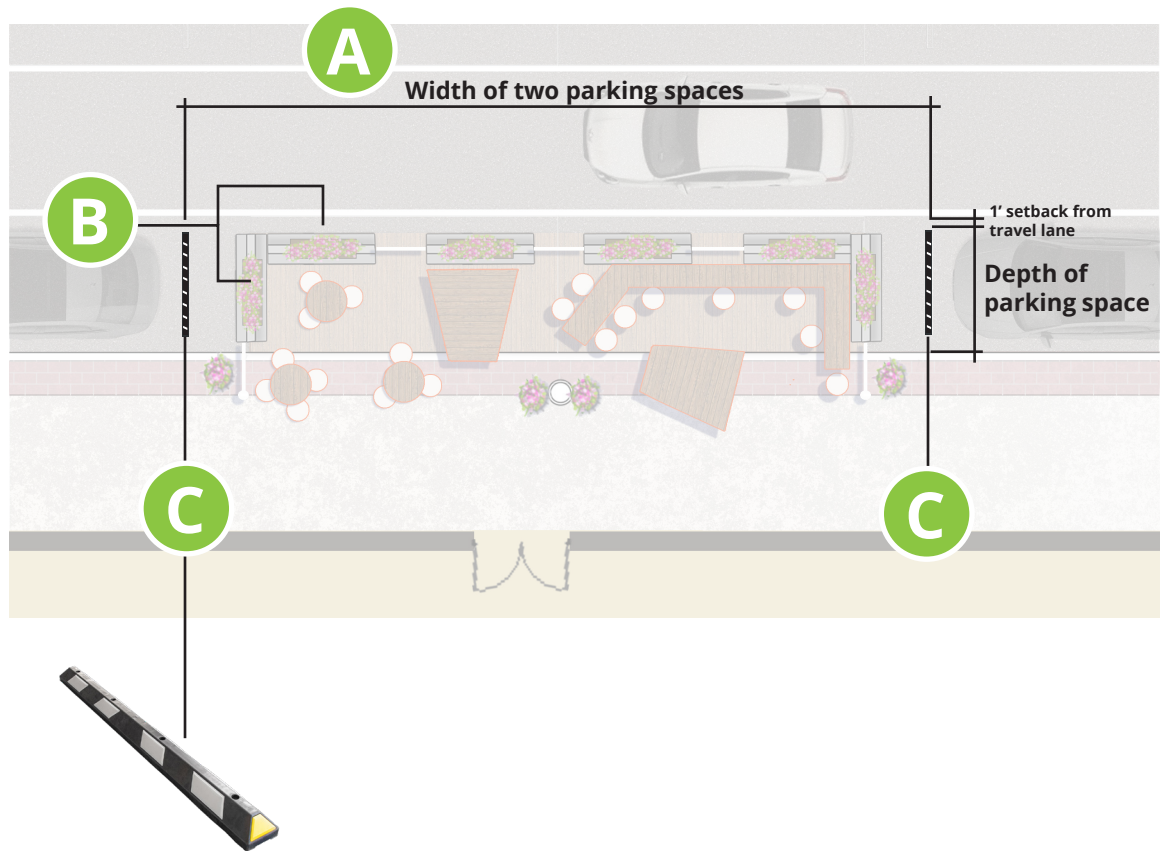
2

- A. Parklets are limited to no more than the length of two parallel parking spaces or three angled parking spaces (no more than 40 feet in length).
- B. **Parklets shall be protected on by jersey barriers, bollards, or alternative barriers that will withstand a vehicular impact of at least 15 mph.** Such barrier shall be integrated into the design of the parklet on the three sides that do not face the sidewalk. The raw concrete of jersey barriers shall be covered or painted. Barriers are not allowed in the lane of travel.
- C. **Parklets shall be buffered with a wheel stop at a distance of 4 feet from each end of the parklet (within the 40' length of parklet).** Plantings are allowed in this space but plant plus container may not be higher than 4 feet.

Standards for Parklet Location on Street.

3

- A. Parklets shall be at least 5 feet from storm water drainage, transit stops, driveways, manholes, or public utility valves/covers, shut-off valves for gas and water, and crosswalks.
- B. Parklets shall be at least 10 feet from fire hydrants.
- C. Parklets shall be no closer than 20 feet to the closest intersection to allow for turns by buses, trucks, and fire engines.
- D. Parklets shall not be installed in areas with a history or high risk of vehicle collisions.



Designing a Parklet: Requirements



Standards for Accessibility.

Parklets shall conform to the following requirements for outdoor dining/seating identified by the Massachusetts Architectural Access Board (MAAB) to make the experience accessible to all:

Accessible Route.

1

An accessible route shall be provided on site that coincides with the route the general public uses from arrival destination points to the receiving area such as the host station. An accessible route shall also connect to accessible seating, restrooms/portable toilets, and to other unique amenities such as a bar, fire pit, fans, or heat lamps.

- A. **Minimum Width.** The minimum width of an accessible route is 36 inches (MAAB 20.4). The use of separation devices such as, bollards, cones, planters, chairs, or chains attached to stands intended to delineate the dining area shall not be placed in a way that reduces the width of the accessible route.
- B. **Materials.** Grass, rocks, sand, and loose gravel are not appropriate as the surface of the accessible route.
- C. **Surface.** The surface of the accessible route shall provide a running slope measuring between 0%- 5% to remain a walkway. If the slope reaches 5.1% the route will be classified as a ramp and be required to stay under 8.33%(MAAB 20.9). The surface shall also be stable, firm, slip resistant (MAAB 20.9), free from changes in level exceeding ½ inch and unbeveled (MAAB 29.2), and free from protruding objects that extend into the accessible route (MAAB 20.6).
- D. If outdoor dining is occurring on a sidewalk, a 36-inch path of travel is required to allow for pedestrians to pass by or access an entrance.
- E. Ensure the accessible route is free from Protruding Objects, such as lights, umbrellas, signs, or other fixtures provided (MAAB 20.6)

Accessible Tables and Seating.

2

As restaurant seating is added or created compliance with MAAB Section 17.0 is required. Routes to all dining areas shall be accessible, including outdoor seating areas (MAAB 17.5). A specific number of accessible seats shall be provided on an accessible route, shall be distributed based on size and location, and shall follow detailed dimensions regarding clear floor space and table and counter heights.

- A. **Seating.** At least 5%, but not less than one of the tables provided shall be accessible and be on an accessible route (MAAB Section 17.2). Seating at the accessible tables shall be movable and not be fixed to the table like a picnic bench or school cafeteria table (MAAB Section 35.1).
- B. **Distribution.** Accessible tables shall be distributed by the size and locations of the space being offered. Tables that are provided for large or small groups, in different locations, or for different services would all be required to meet the 5% obligation (MAAB Section 17.2).
- C. **Accessible Aisle Between Accessible Tables.** A 36-inch clearance (access aisle) is required between accessible tables. No seating or any other obstruction shall overlap the access aisle. (MAAB Section 17.2.2).
- D. **Clear Floor Space at Accessible Tables.** At each accessible table, a clear floor space measuring 36- inches by 48- inches shall be provided to allow for an individual to easily set themselves at the table. This space shall not overlap with the knee space depth under the table by more than 19- inches (MAAB Section 17.2.3).
- E. **Knee Clearances at Accessible Tables.** Knee space of at least 27- inches high, 30- inches wide, and 19- inches deep shall be provided to allow for an individual using a mobility device to maneuver and use the table (MAAB Section 17.2.4).
- F. **Height of Tables and Counters.** The tops of the accessible tables shall be from 28-inches to 34-inches above the floor or ground (MAAB Section 17.2.5).

Designing a Parklet: Requirements



Standards for All Parklets: Fire Safety

- A. Open flames are not allowed on the parklets without approval of the Brockton Fire Department Fire Prevention Bureau
- B. No smoking allowed within the parklet.
- C. Any use of combustible fabrics or materials shall be approved by the Fire Code Official prior to plan approval
- D. Gas or diesel generators, if allowed, shall be in a safe area approved by the Fire Department
- E. All wiring and electrical cords shall be exterior rated, GFCI protected, and UL listed. Cords shall not create tripping hazards on the sidewalk. Cords that cross above the sidewalk shall have a minimum clearance of 10 feet above the sidewalk and the platform of the parklet. If wiring other than cords is used, either on or above the side walk or parklet, installation shall be approved by the Electrical Inspector.
- F. Tent materials shall be compliant with fire resistance ratings tested to NFPA 701 and the tent shall be compliant with the provisions of code.
 - a. Egress, exit signage and illumination shall comply with code.
 - b. Open flame, including grills or cooking appliances are not permitted within 20 feet of the tent structure.



Standards for Parklets with Patio Heaters

- A. Outdoor patio heaters are regulated and coordination with the fire department is necessary for the approval and permitting of these appliances, fuel storage and use.
- B. Patio heaters shall be used only in well-ventilated areas away from combustible materials.
- C. Patio heaters are not permitted within tents with enclosed walls.
- D. Patio heaters with open or exposed flames are not permitted inside or within 20 feet of tent per code.
- E. Patio heaters shall not be located within 5 feet of exits. [527 CMR 1.00: 69.3.11.1.3]
- F. LPG storage in excess of 42 lbs. (two 20 lb. grill-sized tanks) requires a permit from the local fire department. [527 CMR 1.00: 1.12.8.50]
- G. Fuel storage within buildings shall be limited in accordance with 780 CMR and 527 CMR 1.00: Table 60.4.2.1.1.3.
- H. Outdoor storage areas shall comply with 527 CMR 1.00: Chapter 60 and Chapter 66 or 69 as applicable.
- I. Electrical heating equipment is permitted within a tent if compliant with 527 CMR 12.00 (NFPA 70 as amended).

Parklet Application

 **This application is time-sensitive.**

1. Sponsor Information

Entity Name (D/B/A): _____

Legal Name, *if different*: _____

Circle one: Restaurant Retail Nonprofit Other

ABCC License Number, *if applicable*: _____

Physical Address: _____

Mailing Address, *if different*: _____

2. Contact Information

Applicant/Contact Name: _____

Title (*e.g. Owner, Manager, Director, etc.*) _____

Email Address: _____

Telephone Number: _____

3. Proposed Premises for Parklet

Address: _____

4. Restaurants

Restaurants wishing to use the parklet for outdoor dining must attach a copy of the outdoor table service application.

5. All Applicants

Please provide the following additional information:

A. Plan, section, and elevation showing the location and construction of the proposed parklet.

- a. Include all physical features in the immediate vicinity including driveways, wheelchair ramps, fire hydrants, trees, poles, etc. and the location of the principal entry of the sponsoring entity.
- b. Please label the name of street, width of sidewalk, length and width of sidewalk or street area being used for the parklet.
- c. Demonstrate compliance with all requirements in the Parklet Policy.

- d. Description of use of parklet, hours of operation, and components of furnishings, such as chairs, tables, other seating options, lighting, umbrellas, equipment, patio heaters, planters, etc.
 - e. Location of nearest residential neighbor and efforts to monitor and minimize any disruptions (noise, light overspill, trash, etc.)
 - f. Photo renderings or other illustrations are encouraged.
 - g. The plan must be stamped by a licensed architect or structural engineer.
- B. **Written evidence of community support.** This would include letters or verified emails from adjacent property or business owners.
- C. **Evidence of insurance.** Applicant shall indemnify the City for any damages that may occur, shall maintain no less than \$2,000,000 in liability insurance coverage for as long as the parklet remains installed on a public street, and name the City of Brockton as additional insured.
- D. **Departmental Sign-offs.** Signatures from the relevant departments indicating approval of the plans or required conditions.

6. Certification

I, authorized signatory, hereby submit this application to the City of Brockton for approval.

I do hereby declare under the pains and penalties of perjury that I have personal knowledge of the information submitted in the Application, and as such affirm that all statements and representations therein are true to the best of my knowledge and belief. I further submit the following to be true and accurate:

I understand that any false statement or misrepresentation will constitute cause for disapproval of the application or sanctions or revocation of the approval.

Signature of Applicant

Date

Name of Authorized Signatory
Please print/type

Title

Department Check-List (Attache to Application)

Building Department

This application was received on: _____

- ☐ I have reviewed this application, and I am satisfied that it meets the applicable rules and regulations.
- ☐ I have reviewed this application, and I have requested the attached modifications.

Signature

Date

City Electrician

This application was received on: _____

- ☐ I have reviewed this application, and I am satisfied that it meets the applicable rules and regulations.
- ☐ I have reviewed this application, and I have requested the attached modifications.

Signature

Date

Department of Public Works

This application was received on: _____

- ☐ I have reviewed this application, and I am satisfied that it meets the applicable rules and regulations.
- ☐ I have reviewed this application, and I have requested the attached modifications.

Signature

Date

Fire Department

This application was received on: _____

- ☐ I have reviewed this application, and I am satisfied that it meets the applicable rules and regulations.
- ☐ I have reviewed this application, and I have requested the attached modifications.

Signature

Date

Parking Department

This application was received on: _____

- ☐ I have reviewed this application, and I am satisfied that it meets the applicable rules and regulations.
- ☐ I have reviewed this application, and I have requested the attached modifications.

Signature

Date

Required Modification(s).

Attach requested modifications and identify by department.

Department of Planning and Economic Development

This application was received on: _____

This application is complete. Yes ☐ No ☐

Te requested modifications have been addressed.

This application was forwarded to the Traffic Commission on: _____

The application was returned to the Applicant on _____ because:

- ☐ the application was incomplete.
- ☐ the requested modifications were not addressed.

Sources and Credits

The following sources were useful in the preparation of this policy.

GENERAL GUIDELINES/RECOMMENDATIONS

- National Association of City Transportation Officials: <https://nacto.org/publication/urban-street-design-guide/interim-design-strategies/parklets/>
- National Association of City Transportation Officials: <https://nacto.org/publication/streets-for-pandemic-response-recovery/>
- Tactical Urbanist's Guide to Getting it Done: <http://tacticalurbanismguide.com/about/> (also contains a link to the Tactical Urbanist's Guide to Materials and Design, v. 10.)
- UCLA Luskin School of Public Affairs, *Reclaiming the Right of Way: a Toolkit for Creating and Implementing Parklets*, 2012

CITY PROGRAMS

- Boston Parklets Program: <https://www.boston.gov/transportation/boston-parklets-program>
- Haverhill Zoning Ordinance: <https://ecode360.com/33229367>
- City of Tampa, *City of Tampa's Lift Up Local Economic Recovery Plan*, 2021
- City of Philadelphia, *Philadelphia Parklet Program Guidelines*
- City of San Francisco, *San Francisco Parklet Manual*, 2020
- City of Spokane, *Parklet and Streatery Design Standards*
- City of Honolulu, *Parklet Program Guide*, July 2020

CITY INSTALLATIONS

- Town of Arlington: <https://www.arlingtonma.gov/Home/Components/News/News/11093/225>
- City of Newburyport: <https://www.wcvb.com/article/newburyport-massachusetts-outdoor-dining-parklets-massdot-grant-shared-streets/36425194>

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- 5 **Portland, ME** • Innes Associates Ltd.
- 6 **Toronto** • Toronto Transportation / @TO_Transport
- 7 **North Adams** • Innes Associates Ltd.
- 8 **Seattle** • Strata Architects / www.contemporist.com
- 9 **Princeton** • Arts Council of Princeton / thepressgroup.net
- 10 **Boston** • Boston Seaport by WS Development / high-profile.com

Images 3, 5, 6, and 8 also used on page 9.

Page 15.

<https://rubberform.com/product/wheel-stops>

